

entered under certain circumstances; and generally relating to criminal records.

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 10-105(a)(3)

Annotated Code of Maryland

(As enacted by Chapter 10 (S.B. 1) of the Acts of the General Assembly of 2001)

BY repealing and reenacting, without amendments,

Article 27 - Crimes and Punishments

Section 388A(b), (c), (d)(1), and (e) and 388B(b), (c), (d), and (e)

Annotated Code of Maryland

(1996 Replacement Volume and 2000 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Procedure

10-105.

(a) A person who has been charged with the commission of a crime, including a violation of the Transportation Article for which a term of imprisonment may be imposed, may file a petition listing relevant facts for expungement of a police record, court record, or other record maintained by the State or a political subdivision of the State if:

(3) a probation before judgment is entered, unless the person is charged with a violation of § 21-902 of the Transportation Article OR ARTICLE 27, § 388A OR § 388B OF THE CODE;

Article 27 - Crimes and Punishments

388A.

(b) Any person causing the death of another as the result of the person's negligent driving, operation, or control of a motor vehicle or vessel while intoxicated or intoxicated per se is guilty of a felony to be known as "homicide by motor vehicle or vessel while intoxicated", and the person so convicted shall be punished by imprisonment for not more than 5 years, or by fine of not more than \$5,000 or both fine and imprisonment.

(c) A person who causes the death of another as the result of the person's negligent driving, operation, or control of a motor vehicle or vessel while under the influence of alcohol is guilty of a felony to be known as "homicide by motor vehicle or vessel while under the influence", and on conviction shall be punished by imprisonment for not more than 3 years or a fine of not more than \$5,000 or both.

(d) (1) A person who causes the death of another as the result of the person's negligent driving, operation, or control of a motor vehicle or vessel while under the influence of drugs is guilty of a felony to be known as "homicide by motor vehicle or